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ABSTRACT

"An ethic may be regarded as a mode of guidance for meeting ecological situations so new or intricate 'that the path of social expedience is not discernible to the average individual'. Ethics are a kind of community instinct in the making." Fifty years after Leopold penned those words, the human component of natural resource science is so new and intricate that the path of social expediency is indeed not discernible. One definable ethic is the mode of guidance for effectively meeting the social dimensions of natural resource decision-making of the future. By expanding the philosophy of Leopold's land ethic, the universal principles of being fair, open, and honest are what underlie the apparent success or failure of current public/natural resource interactions. Drawing on extensive public process experience, it is suggested that if natural resource professionals as a community embrace the fair, open, and honest philosophy as the cornerstone of public process, then Leopold's mode of guidance will have been defined for the coming century. (YDS)

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# *Regaining Public Trust*

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***An ethic may be regarded as a mode of guidance for meeting ecological situations so new or intricate... that the path of social expediency is not discernible to the average individual....Ethics are a kind of community instinct in the making.***

*Aldo Leopold, A Sand County Almanac, 1949*

Fifty years after Leopold (1949) penned those words, the human component of natural resource science is "so new and intricate" that the path of social expediency is, indeed, "not discernible."

I'm a biologist. So's my colleague Tony Faast who works for the US Fish & Wildlife Service. Even though Tony isn't here today, he came up with the foundational idea for this presentation. You see, besides being biologists, both of us have also become professional facilitators embroiled in high stakes, natural resource issues. We've seen everything from wildly successful public and agency partnerships to dismal failures where litigation seems to be the only solution. We've pondered, time and time again, why some public interactions succeed and others fail; why some proposals move forward and others go to court.

We have analyzed various public involvement models, techniques and processes, such as focus groups, comment periods, public meetings, even charettes. Employing different models or processes doesn't seem to make a significant difference; effective, positive interactions are possible regardless of the model used. We've come to the conclusion that success is not model-dependent; the question then remains as to what factors make or break a public/resource interaction.

We've found that public involvement processes seem to be more successful when citizens and public agency people trust and respect each other during a public process. It is our contention that ethics, i.e., the way in which we conduct our public interactions -- and in fact, the way we conduct ourselves -- determines the success or failure of our public interaction efforts.

Three foundational principles seem to always be present in successful public/resource interactions. **In this paper, we advance the premise that fair, open and honest are the fundamental principles that comprise the ethics required for successful resource decisions in the public arena.** Fair, Open and Honest are the basic components of ethical behavior. They garner respect, which can lead to trust.

We suggest that, as Leopold stated, a definable ethic is our "mode of guidance" for natural resource decision-making of the future, and second, that a fair, open and honest ethic is that mode.

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As Leopold stated,

> ***No important change in ethics was ever accomplished without an internal change in our intellectual emphasis, loyalties, affections, and convictions.***

As Gov. Kitzhaber mentioned in a speech before the Society of American Foresters (SAF) last Fall in Portland, Oregon, "One big problem with the Eastside Plan was the lack of trust of federal land management agencies ...". That lack of trust should serve as a wake-up call for an internal change in the way we do business with our publics in the new century!

Only three basic principles to govern these complex public interaction scenarios? You may recall there are only Ten Commandments to govern Christian human endeavor, and most people have a hard time remembering all of those! We're comfortable advancing these three principles as the foundation for an ethical approach to future public/resource interactions.

**FAIR**

Being fair means several things. For example:

- Providing opportunities for people to participate in ways that work well for them. Of course, this means accommodating special access needs. It also means picking times that are convenient for your audience, and acknowledging that sometimes, the high school playoffs are more important than your public meeting.
- Providing everyone the same information at the same time. This levels the playing field.
- Providing a safe physical and intellectual environment for the exchange of ideas.
- Making sure the people who are affected by your group's decisions, help make those decisions.

A few self-directed questions are the litmus test for this component of our ethic. How fair is it for biologists to spend two years in obscurity writing a species recovery plan, then say to the public, "You have thirty days to review and comment on this 3-lb document, and, by the way, the clock started ticking last Thursday when the notice was printed in the Federal Register?"

How fair is it when we provide information to some and not to others? When the others suddenly "find out" what's going on, agency credibility is in jeopardy. Everyone who cares about the issue needs to be involved in the process, not just the supporters or the locals. One Resource Manager had his predator control program suddenly "blow up" when animal rights advocates found out about it at the very end of the public comment period. When asked why he didn't let national groups know of the process sooner, the answer was, "Well, everyone around here knew about it and thought it was OK."

We need to ask ourselves, "Would you play in a game in which the rules were unclear? ...where the other guys use questionable tactics? ...where you don't trust the players? In a game that is simply perceived as UNFAIR?

**OPEN**

The essence of open is the question: Are you really listening? Is your process designed to receive information from a variety of publics and deal with that input appropriately? Sup reme Court Judge Stephen Breyer in his confirmation hearing responded to the question, "What is the role of the Supreme Court?" He stated eloquently, "To listen...listening gives dignity to the person being listened to."

In one painfully memorable public meeting, we asked the Assistant Director of the agency, five minutes before the meeting began, "What do we tell them about how their input will be used?" The Assistant Director replied, "It doesn't matter, we cut a deal with all the key players at three o'clock yesterday." The meeting was held anyway, but had they known the truth, how would those 38 participants have felt about the fairness of that public agency and its process?

In most cases, fish and wildlife managers and foresters represent public agencies. The public has a fundamental right to provide input on issues that affect them. We need to give them a variety of ways to talk to us -- public forums, solicited and unsolicited surveys and assessments, letters, phone calls -- whatever is the outreach mode of the moment. And then, we need to *really* listen to their comments and factor them into public decision processes. Yet agencies routinely seek input from the public when a decision has essentially already been made. We often tend to seek validation or acceptance of our plan or strategy, rather than seeking legitimate public input within a truly collaborative process.

We contend that our personal and agency credibility, integrity, and image are on the line every time we go to the public for their input. We simply cannot afford to be unethical in our actions. Leopold said,

> ***I have purposely presented the land ethic as a product of social evolution because nothing as important as an ethics is ever 'written.' ...[it must evolve in] the minds of a thinking community.***

We still have some evolving to do in our thinking!

Other aspects of the Open ethical component include:

- Participants understand their role in the process. They know whether their group is advisory or governing.
- The process is straightforward, understandable (jargon-less) and clearly explained. The only agenda is the one on the wall.
- The agency is willing -- and able -- to accommodate public input.

A question that should be asked before any public meeting unfolds, is "If the public comes up with the greatest idea since sliced bread, can we use it?" In our experience, unfortunately the answer is often, "no." Due to a multitude of political, budget, time and biological constraints, input from the public is often sought too late, and therefore any input is not applicable. If these constraints

are affecting the decision, then the only ethical way to proceed is to let the public know.

**HONEST**

It's not that biologists and foresters are fundamentally dishonest. It's simply that we often are reluctant to divulge all relevant information to all parties. This may be for reasons of policy, politics, funding or even biology! We may believe the information is too complex for the public to understand. But citizens do have a right to know what an agency can — and cannot do — and what kind of information or science we have — and how good it is — that we're applying to the problem.

Honesty includes:

- Not glossing over the amount of time people are expected to commit to the group's effort.
- Acknowledging that some issues are simply so value-laden that large group effort cannot fix them. The social and natural resource issues we face today — abortion, gun control, clearcutting, salmon, old growth forests — have become so value-laden they are unlikely to be resolved in public process arenas.
- Being realistic about what your agency can deliver, whether it's a report, a policy, or an outcome.

**RESPECT**

Honesty is the heart of integrity and, subsequently, a key element of Respect, which is a step along the path to Trust.

Harvard professor Sara Lawrence-Lightfoot, in her recent book *Respect: An Exploration* says "Respect is the single most powerful ingredient in nourishing relationships and creating a just society." She goes on to define respect in a new way that clearly relates to our business of fish and wildlife management:

> *Respect commonly is seen as a deference to hierarchy, often driven by duty and based on a person's position, age, gender, race, class or accomplishments. But I propose a different view of respect — one derived from equality, empathy and connections of all kinds of relationships, even those often seen as unequal, such as parent and child, doctor and patient [and we would add 'agency and public'] The image is a circle, not a triangle or pyramid.*

When you think about it, lack of respect is one that fuels some of the no-holds-barred opposition we find ourselves up against in natural resource decision-making. Of course we can respectfully disagree with our publics on a lot of issues, but we often don't — often, we just disagree!

So how did we get to this point where we seem to be in constant conflict with our publics? As resource professionals, we worked hard to learn our craft and to apply ourselves to uncovering the secrets of nature. What caused us to suddenly become mistrusted components of a bureaucracy instead of champions of fragile resources?

We may have contributed to our own dilemma. First, most of us in natural resources, weren't trained for this kind of "people" work. We studied the science of biology or forestry, not the art of skilled communication.

Second, let's admit it. Some of us don't like the public process aspects of our jobs! We don't like conflict, or the hassle, of dealing with the public. Some of us got into the business to "get away from people." Secretly, we'd prefer to be out in the field collecting data, or if we must, hammering out a species management plan behind the closed door of our office, then presenting it to the public, who would (in our fantasy) congratulate us on our collective wisdom and fund our project immediately!

> ***As far as I can detect, no ethical obligation toward the land is taught in these institutions. [land bureaus, agricultural colleges, and the extension services]***
>
> *Aldo Leopold*

My old Wildlife Professor of thirty years ago told us solemnly, 'Wildlife management is people management." He was more right than he knew. The problem was, we spent the next four years learning only about the wildlife management component!

What we've found in our research and experience in the public arena, are things like:

- Constructive conflict leads to innovative solutions.
- People want to be involved in meaningful conversations which lead to good decision-making.
- People want to be heard (remember Judge Breyer.)
- People who are involved, develop ownership for the ideas.
- People have a stake in the future of public resources.

The overwhelming thing we've learned is that people care deeply about natural resources — just like we do! If we involve them in an ethical manner in the management of those resources, we can make better decisions critical to the health and sustainability of these natural resources. If we don't, we're going to keep going to court. And if we *do* end up in court, we just have to believe that the ethical actions and arguments will prevail!

**TRUST**

You've often heard Trust described as a two-way street, something that has to be mutual. The public doesn't trust government these days for a lot of probably pretty valid reasons! By the same token, agencies often don't trust the public — again for a lot of pretty valid reasons.

Air Force General Chuck Horner, Gen. Swartzkopft's Deputy Commander in the Gulf War, had some interesting comments about one of our mutual "publics" — the media! When asked "Why the military had such a distrust of the media?" he could have been speaking for natural resource agencies when he responded:

*Fear of the media seems to go with the job description of soldier, sailor, or airman [we can easily include biologist]. Why? God only knows. When you think about it, if you can trust the press and the TV commentator to tell the truth, and I do, then it's not the media we fear but the American people ... a sad commentary on our military mid-set.*

*Sometimes you...we...all of us do asinine things. If you are doing something stupid, pursuing a poor policy, or wasting taxpayers' dollars, and the press or television paints you in an embarrassing light, that is probably a good thing. In the long run, the exposure, no matter how painful, is good for the military and the nation. If, on the other hand, you are getting the job done skillfully, pursuing a noble cause, or managing a military operation with efficiency, then you have much to gain from media exposure.*

*The American people are quite capable of judging good and bad for themselves. I guess the bottom line is we have little to fear is we trust the judgment of the folks who pay the bills.*

Individually, or as agencies, we may or may not trust our many and varied publics, but we're pretty sure these days it's safe to say, the public doesn't trust us! This mistrust is borne not necessarily of a faulty process or procedure, but often of fundamentally unethical actions exhibited by agencies and individuals that have preceded us. We can't effectively apologize to our publics for the past; we can only establish our own credibility for the future.

But, in discussing this topic with colleagues, we often hear the complaint, "Why should we be ethical in dealing with the public — they aren't dealing ethically with us!" Our response is simply "Who's the professional here? Who should be the first to break the cycle of mistrust, in order to craft a new cycle of trust?" Remember, Sara Lawrence-Lightfoot when she said, "The image is a circle, not a triangle or pyramid."

Ethics, respect, credibility, truth — factors not often discussed in the long ago training and education of many "mature" biologists and foresters of today, yet they have become an inescapable part of the present management spectrum. We need public support more than ever to do our jobs, yet in many cases, the public doesn't trust us as partners and are suspicious of our agency's credibility when it comes to managing our natural resources.

It's clear then, that we need a new approach in natural resource decision-making, one based on mutual trust between the public and public agencies. We advocate a new approach that learns from the past, recognizes the complexities of our current social and biological interactions, and applies a fundamentally ethical approach to managing our natural resources in the future.

**Conclusion**

Could something as simple as Fair, Open, and Honest be the beginning a solution for all our public/agency process ills? Is it the total answer? Is it the "kind of community instinct in the

making" to which Leopold alluded fifty years ago?

We have to start somewhere. We're convinced that ethical behavior is the place to start toward our goal of mutual trust.

In closing we're reminded what Leopold said we should do in the absence of clear direction. He said we must:

> **Examine each question in terms of what is ethically and aesthetically right. ...A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community.**

And Chuck Horner has one other telling point regarding that elusive quality we call trust. He says simply, "Trust takes time, but when you have it you have a wonderful gift."

This is one gift we can give to ourselves. We should make it so.

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KEY WORDS. Public process, professional ethics, natural resource issues